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IN THE HIGH COURT OF KARNATAKA AT BANGLORE

DATED THIS THE 3RD DAY OF APRIL 1998

BEFORE

THE HON'BLE MR.JUSTICE A.J.SADASHIVA

WRIT PETITION Nos. 11148 to 11162/1998

BETWEEN:

1. C.Channakeshavamurthy, s/o  
Chaluvayya, aged about 35 yrs.,  
agriculturist.
  2. Smt.Laxmidevi, D/o Kariyappa,  
Age 38 years, agriculturist.
  3. Hanumanthappa, s/o Thimmappa,  
aged about 40 yrs., agriculturist.
  4. H.Rudrappa s/o Hanumanthappa,  
aged about 37 yrs., agriculturist.
  5. Basavaraju, s/o Venkatappa, aged  
about 36 yrs., agriculturist.
  6. Chandrappa, s/o D.K.Laxmayya,  
aged about 35 yrs.,
  7. Durugappa s/o Hanumanthappa,  
aged about 37 yrs.,
  8. Thimmakka d/o Durgappa,  
aged about 32 yrs., agriculturist.
  9. Satyanarayana, s/o Ramakrishnappa,  
aged about 36 yrs., agriculturist.
  10. Hanumanthappa s/o Pullappa,  
aged about 34 yrs., agriculturist.
  11. D.H.Chandrappa s/o Hanumanthappa,  
aged about 32 yrs., agriculturist.
  12. Maranna, s/o Javarappa, aged about  
34 yrs., agriculturist.
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13. Mallappa, s/o Hanumanthappa,  
aged about 35 yrs., agriculturist.

14. Palakshappa s/o Hanumanthappa,  
aged about 36 yrs., agriculturist.

15. Rangappa s/o Mariyappa, aged about  
35 yrs., agriculturist.

(All are r/o Duggalapur Village,  
Lakkavalli Hobli, Tarikere Tq.,  
Chickmanagalur Dist.,) .. Petitioners

(By Sri S.V.Prakash, Adv.,)

AND:

1. The State of Karnataka by its  
Secretary, Revenue Department,  
M.S.Buildings, Bangalore-1.

2. The Deputy Commissioner,  
Chikkamagalur Dist., Chikkamagalur.

3. Regularisation of Unauthorised  
Occupation Committee, Tarikere Tq.,  
Tarikere, by its Secretary,  
The Tahsildar, Tarikere, Chikkamagalur  
Dist.,

4. The Tahsildar, Tarikere Taluk,  
Tarikere, Chikkamagalur Dist., .. Respondents

(By Sri K.Nagaraja, HCCP)

These Writ Petitions filed under Articles 226  
and 227 of the Constitution of India, praying to  
direct the R-3 and R-4 to regularise the unauthorised  
occupation of the lands in Sy.No.9 of Arasikere Village,  
Tarikere Tq., Chikkamagalur Dist., and etc.,

These Writ Petitions coming on for prly. hearing  
this day, the Court made the following :-

*Handwritten signature/initials*

O R D E R

Sri.K.Nagaraja, the learned HCGP, is directed to take notice for respondents.

2. Though these petitions are listed for preliminary hearing, the same are heard on merits and disposed of by this order, with the consent of the learned Counsel appearing on both the sides.

3. The complaint of the petitioners against the respondents, particularly against the fourth respondent, is one of inaction against the application filed by them in the year 1991 in Form No.50 under Rule 108C of the Karnataka Land Revenue Rules, 1966 (hereinafter called "the Rules").

4. Where an application is filed before a statutory authority under the statutory provisions, such statutory authorities are bound by law to consider and dispose of such applications within the period prescribed if there is any or within a reasonable time where no period is prescribed. From the scheme of Rule 108D of the Rules, such application

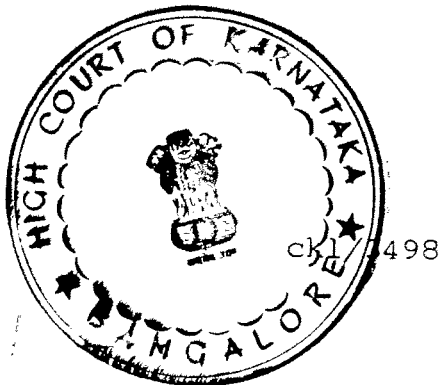


should be disposed of expeditiously at any rate within a maximum period of one year. The petitioners complain<sup>1</sup> that their applications have remained undisposed<sup>1</sup> of even after the expiry of 7 years. No reasonable cause is shown by the respondents for their inaction.

5. In the result, these petitions are disposed of with a direction to the fourth respondent to place the applications of the petitioners before the committee or the additional committee as the case may be for consideration and disposal in accordance with Rule 108D of the Rules within 6 months from the date of receipt of this order.

6. In the circumstances of the case, there is no order as to costs.

7. Sri.K.Nagaraja, the learned HCGP, is permitted to file memo of appearance within four weeks.



Sd/-  
JUDGE